

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HAROLD TOUSSAINT, :
Plaintiff, :
: 22 Civ. 10739 (LGS)
-against- :
: ORDER
JF RESTAURANTS, et al., :
Defendants. :
: ----- X -----

LORNA G. SCHOFIELD, District Judge:

WHEREAS, a telephonic conference was held on September 13, 2023;

WHEREAS, during this conference, Plaintiff agreed that his claims are solely an age discrimination claim under the Age Discrimination in Employment Act of 1967 and a race discrimination claim under 42 U.S.C. § 1981. For the reasons discussed at the conference, it is hereby

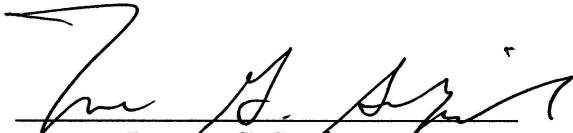
ORDERED that Plaintiff's time to effectuate service on Defendants Ben Goldstein and Mariana Gavilanes under Federal Rule of Civil Procedure 4(m) is adjourned *sine die* pending a decision on any motion to dismiss. It is further

ORDERED that Plaintiff shall make available to Defendants the best copy of any stamped document he has stating the filing date of his initial complaint. It is further

ORDERED that by **September 21, 2023**, Defendants JF Restaurants, John Fraser and Amy Racine shall file a letter (1) stating whether they consent to accept service, (2) providing an update on any planned motion to dismiss filing and (3) stating whether they agree to participate in settlement discussions before Judge Barbara C. Moses, with the understanding that if they so consent, the Court will seek to have counsel appointed to represent Plaintiff for the limited purpose of settlement discussions.

The Clerk of Court is respectfully directed to (1) issue summonses based on the Amended Complaint; (2) mail the summonses to the pro se Plaintiff and (3) mail a copy of this Order to the pro se Plaintiff.

Dated: September 15, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE